

Court Adjourns With 300 Rum Cases on Hand

Justice Borst, Presiding at Extraordinary Term, Is Forced to Take Up Work in His Regular District

Complaints Still Pour In

Will Have to Go Over to the Fall Term: Aid of General Sessions May Be Sought

With 300 liquor cases ready for trial and new complaints piling up every day, Justice Henry V. Borst, extraordinary term, criminal branch, Supreme Court, trying liquor cases exclusively, announced his intention of adjourning court to-morrow. He said he had to take up work in his own court, and added that the enforcement of prohibition in New York City was extremely difficult unless several courts could be given over to the trial of such cases.

Justice Borst said he would make a complete report of the liquor situation in New York to Governor Miller, and that it was up to the latter to decide whether another justice should be sent here to try liquor cases. The expense of the court has been about \$800 a day to try liquor cases.

Mr. Borst said that Justice Borst had been forced to dig into his own pocket for a part of his expenses. He said he had received only \$10 a day, and that he had to make up the deficit from his own funds.

During the month of June the grand jury attached to Justice Borst's court considered 426 cases and returned 100 indictments. This month, thus far, the jury has considered 128 cases and has returned fifty-nine indictments. There were more than thirty cases of liquor violations still awaiting submission to the grand jury. Justice Borst said:

"While Assistant District Attorney Banton asked me to adjourn sine die, his real end and aim was to get the court I have been conducting in this county. No judge could be expected to hear all the liquor cases that are pending here."

Link \$50,000 Bank Theft With Bootlegging Scheme

Dr. Agents Expected to Get Evidence From the Teller, Under a Deferred Sentence

Federal prohibition enforcement agents in Brooklyn yesterday began an investigation into a \$50,000 bank robbery, committed, it is charged, to finance a "bootlegger's" ring. It was hoped through Federal Judge Garvin, who is holding a deferred penitentiary sentence over the head of Alfred Farrell, former bank teller, to get the names of men who are alleged to have used Farrell as a tool, but the plan was reported last night to have failed. The investigation will be pursued, however.

Farrell was formerly a receiving teller of the New Utrecht branch of the Irving National Bank and was convicted recently of having appropriated the bank's funds to go into "bootlegging" operations on a large scale. His theft was discovered, however, in time to locate a large part of the embezzled funds, which were restored to the bank.

Farrell was to have been sentenced by Federal Judge Garvin yesterday, but sentence was deferred when it was said that Farrell might be willing to talk and give the court names of "men higher up" in the "bootlegging" ring. Judge Garvin called Farrell into his chambers and had a long talk with him. The man is reported to have asserted that he had nothing to reveal. He was remanded to jail and will be sentenced July 23.

Policeman John Oakley in Brooklyn seized what is reported to be the most valuable whisky still taken in the metropolitan district. The still is described as a model of efficiency and perfection. Two one-gallon cans of whisky were seized.

Federick Wolf, of 155 McKibbin street, was arrested while carrying the cans and led the police to the still. The still was found, where the still was found, asleep beside the still. Andrew Stoff, who also was placed under arrest.

Wolf said: "Why, Woodrow Wilson makes his own whisky. You wouldn't pinch me for carrying home-made whisky, would you?" The policeman assured him he would, and he did.

Lenders Einstein and his squad of federal prohibition agents seized \$30,000 worth of Italian red wine in the store of Joseph Carera & Sons, at 124 Fulton Street. The wine was in seventy-five barrels, which were removed in four trucks. Carera was arrested.

Blue Law for Newspapers
Rio de Janeiro Act Prohibits Working on Sunday

RIO DE JANEIRO, July 20.—Work in newspaper offices in Rio de Janeiro between the hours of 8 o'clock Sunday morning and 8 o'clock Monday morning is prohibited under the provisions of an act passed to-day by the Municipal Council.

The Prefect of Police is expected to sign the measure tomorrow, immediately after which it will become law.

Local newspapers plan to discontinue Sunday afternoon and Monday morning editions in compliance with the new regulation.

Angry Toper Devoted Nights And Pay to Beating Dry Law

Wife Says Prohibition Turned Husband's Two-Day Spree Into Continuous Performance; Prisoner Ready to Look on Wine of Any Color

Magistrate Thomas Doyle in the Long Island City police court yesterday, passing judgment on Angelo Bartiello, of 134 Seventh Street, Long Island City, summoned the Ten Commandments, which he commended to Bartiello's earnest consideration, by adding an injunction not to "look on the wine when it is red." Mrs. Bartiello, who was in court, charged her husband with habitual intoxication.

Mrs. Bartiello testified that she had been having trouble with Angelo ever since prohibition went into effect, because the law against drinking wine made him angry. He devoted much of his time to beating the law, which the witness said he found no difficulty in doing. Mrs. Bartiello said her husband got drunk every night since wine had been prohibited, whereas formerly he only drank on Saturdays, Sundays and holidays.

Bartiello, who speaks imperfect English and was questioned through an interpreter, brightened up when he heard Magistrate Doyle's reference to wine and gurgled happily to the interpreter, who shook his head violently. "What does he say?" demanded Judge Doyle.

"He," replied the interpreter, "that it don't make no odds to him, be-

cause he just so soon have white wine as red wine."

"You inform Angelo," ordered the magistrate explosively, "that my order applies to all sorts and conditions and colors of wine and spirituous and malt liquors—yes, and hitters and hair restorers—anything with a kick in it."

The interpreter conveyed this to Bartiello, who sighed sadly and turned away. He said a man might as well be dead as have to work every day this weather without a drop of wine.

The magistrate also ordered Bartiello to take his pay envelope unopened home to Mrs. Bartiello every Friday night, so that he would not be tempted to buy wine. The wife testified that since Bartiello had been so intent on cheating prohibition agents she had not been able to get enough out of his week's earnings for support of the family.

"Angelo get so proud when he fool the prohibition men," Mrs. Bartiello said, "that he don't care how much it cost. Now we have not so much wine, maybe, but more meat."

Bartiello was placed under observation of a probation officer by Magistrate Doyle, who ordered that he be at once brought into court if he held out a cent of his wages from Mrs. Bartiello. The judge said, had he a big sum of back dividends coming to her.

Inspired by Rum, He
Jams Longacre Sq.
By Fighting Police

Traffic Blocked Half Hour, Theater Crowds in Uproar When Salesman Shouts End of World Is in Sight

Samuel B. Hatchel, twenty-five years old, who said he lives at 1707 Nelson Avenue, the Bronx, was arrested last night.

Forty-second Street and Broadway after he had been chased three blocks by Patrolmen Farley and McEvoy of Traffic D. Four patrolmen were required to subdue the prisoner. Hatchel fought Farley and McEvoy fifteen minutes while thousands of persons emerging from theaters in the vicinity hemmed the combatants in a human wall.

Hatchel first attracted the attention of Patrolman Farley, at Forty-second Street and Broadway, when he ran down Broadway past the Longacre Building shouting that the end of the world was coming and urging everybody to "take cover."

Hatchel, who was wearing a dark suit and a hat, was seized by the patrolmen and taken to the police station. He was charged with disturbing the peace and with obstructing traffic.

When the fight began traffic at Broadway and Forty-second Street was jammed and a heavy northbound procession of automobiles backed solidly to Thirty-ninth Street within a few minutes. All cross-town traffic for two blocks also was blocked.

Whether or not the Flying Dutchman exists, save in the imaginations of parched Long Islanders, this much is fact.

Irvin S. Cobb is planning a fishing trip of Montauk Point in his low and rakish craft, the Supreme King, which is especially low and rakish with Mr. Cobb aboard. It is also a fact that Mr. Cobb and his companions have never been addicted to fishing heretofore. Persons are invited—even urged—to draw their own conclusions.

Chief Justice Taft to Preside
At Bar Association Session

CINCINNATI, July 20.—William H. Taft, former President and now Chief Justice of the Supreme Court of the United States, will be toastmaster at the annual dinner of the American Bar Association meeting here in his home town August 2 to September 2.

Among other notables speaking on this occasion will be Sir John Simon, of London, former British Secretary of State for Home Affairs; John W. Davis, ex-Ambassador to Great Britain; and former United States Senator Charles S. Thomas, of Colorado.

Judge Refuses Awards in
Bear Swamp Road Closing

Holds Statute of Limitations
Ran Against \$129,800 Claims and \$136,898 Assessments

Justice Richard H. Mitchell in the Bronx Supreme Court yesterday granted the motion of Corporation Counsel O'Brien to refuse to affirm awards of \$129,800, and assessments of \$136,898 made by the street opening commissioners in connection with the closing of Bear Swamp Road, in the Bronx.

He has ordered the matter sent to a new commission for consideration and report. The city is said to have incurred an expense of more than \$10,000 in the matter.

The property in question is owned by Vincent Astor, the estate of the late Joseph Jacobus, the estate of the late Katherine Hill and the Wilkinson estate. Ten years ago, the street opening commissioners considered the damage to the owners of the property by reason of the closing of Bear Swamp Road.

The decision handed down yesterday was based on the contention that the commissioners made the awards on an erroneous theory and that they are grossly excessive. It is also contended by the Corporation Counsel that the city cannot waive the statute of limitations, and that the property owners are precluded from receiving any awards.

In handing down his decision Justice Mitchell said, "I am of the opinion that after notice, either actual or constructive, the six-year statute of limitations ran against the claim, so that the proof offered, if received, would have shown that the statute barred them all."

All Italians Must Disarm
Premier Takes Drastic Measures to End Disorders

Special Cable to The Tribune
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ROME, July 20.—Premier Bonomi has undertaken drastic measures to end the disorders which have occurred between members of the Fascist and the Socialist and Communist, resulting in pitched battles in many parts of Italy and scores of deaths.

The Premier issued the following warning to-day on this subject: "I am determined at all costs to enforce disarmament, not only on the Fascists, but on all Italians carrying arms, if necessary. I trust my efforts will be successful, thus making strenuous measures unnecessary."

Sugar Grows in Florida
Recent experiments are said to have proved conclusively that the sugar cane can be grown successfully on the muck lands of the Florida Everglades.

Wet Schooner Stocks Cellars On Long Island

Regular Flying Dutchman Said to Have Sold 4,000 Cases Outside 3-Mile Limit and 400 to Run It In

The motor ship Flying Dutchman was, according to rumor, responsible for the bee-like spirit of industry which during the week-end seized upon fishermen and yachtsmen alike as the twilight faded. Under cover of night the Dutchman three times crept up close to the three-mile limit, disguised as a fishing schooner. There she anchored and conducted the perfectly legitimate business of selling her precious cargo where the Eighteenth Amendment meant nothing. It was no concern of hers whether the little boats into which the liquor was lowered were pulled for the shore or sailed for the Spanish Main. His interest was limited to getting payment in cash.

Champagne \$65 a Case
He got it without question. No one would quarrel over terms when he could get champagne for \$65 a case.

At dawn on Monday customers were still cruising to Montauk Point, but their zeal was wasted. At midnight Sunday the Flying Dutchman's mission was ended and she spread her sails to a fair breeze, blew a kiss to the land of the free and put out to the open sea.

Just how some four hundred small boats were able to carry their contraband to shore must always remain the greatest mystery. Twice before the Flying Dutchman was reported to have been broken by the little schooner, and revenue officers lurked behind every sand dune, patrolled the shallow waters and warily walked the sandy beaches, confident that this time their efforts would not be in vain. A Federal investigation is being conducted into the alleged smuggling and the force on hand to catch the whiskey runners has been greatly increased.

Pearl White Divorces
Wallace McCutcheon

Film Star Granted a Decree
Against Army Officer in Providence Court

Pearl White, motion picture actress, whose home is at Little Neck Bay, L. I., was granted a divorce yesterday at Providence, R. I., from Major Wallace McCutcheon, who served in the United States Army in France during the war. McCutcheon also is an actor and author.

The decree was granted in the Superior Court at Providence, suit having been filed there by Miss White under her proper name, Pearl McCutcheon. No alimony was allowed. Final decree is to be entered in six months.

Previous to her marriage to Major McCutcheon, Miss White had been the wife of Victor Sutherland, an actor whom she divorced in 1914. Early this year the actress went to Paris, where she established formal residence with the intention of suing for divorce there on the grounds of infidelity. In an interview given out in Paris on April 30 last, Miss White promised sensational disclosures when the name of a woman involved in the case was made public. Later she abandoned her intention to file suit abroad and returned to the United States, bringing suit in Providence soon after her arrival.

Japanese Jurists Observe
Criminal Procedure Here

Katsugi Yanagawa, chief justice of the Appellate Court of Miyagi, and Yakitori Shimizu, counsel of the Department of Justice of Japan, visited the office of District Attorney Swan yesterday to study the procedure in criminal cases in the court of General Sessions.

These officials are here to study the methods of American courts and penal institutions.

Runaway Horse Dashes
Patrolman Against Pole

Would-Be Captor Dragged 200 Yards Before He Is Flung to "L" Pillar and Leg Broken

Patrolman Francis McPhillips, of the Manhattan police station, was dragged 200 feet by a runaway horse last night and dashed against a pillar of the Third Avenue "L" line. He suffered a fracture of the right leg and severe bruises and cuts and was taken to Lincoln Hospital.

McPhillips was at Third Avenue and 165th Street, the Bronx, when he saw the horse attached to a delivery wagon of the Drake Baking Company approaching. He seized the bridle as the animal passed him. With a toss of its head the horse lifted the patrolman from the ground and galloped heavily on, McPhillips dragging along-side.

As a motor truck turned into Third Avenue the horse swerved, swinging the patrolman against a pillar of the "L" structure and causing him to relax his hold. Two blocks further on Ernest Metzel, of 1140 Colton Avenue, the Bronx, had better luck and stopped the horse.

Autos Kill Boy Playing
And an Adult Picknicker

Manhattan Has Street Fatality; Party of Elks Is Wrecked on Long Island

Two deaths and one probably fatal injury resulted from automobile accidents yesterday in New York and vicinity.

George Newbaum, nine years old, of 325 East Ninth Street, died in Bellevue Hospital a few minutes after being admitted. An automobile ran over him in front of 335 East Ninth Street. Louis Harris, of 82 South Main Street, South Norwalk, Conn., was arrested on a technical charge of homicide. Fifth Street station reserves were called out to disperse a threatening crowd that gathered about Harris.

Six men in a touring car which overturned at Glenwood Landing, Long Island, were taken to Nassau County Hospital. Charles C. Villinka was probably fatally hurt. William W. Hoff and Edward J. McGraw, of Lindenhurst, Long Island, suffered broken bones. Robert Brown received injuries to both eyes. William Fick, forty-three years old, died soon after being admitted to the hospital. He was proprietor of a hotel at Lindenhurst.

The party was en route to attend the Elks' picnic given by the Freeport Lodge. The car turned over in trying to negotiate a sharp curve near Glenwood Landing.

Bullet Kills
Runaway; Saves Two Children

Scared Horse, Attached to Buggy Containing Boy and Girl, Bolts Into Cemetery in Race With Officer

Speeds Through Newark

Mother, Whose Daughter Was Killed by Auto, Sees Peril of Other Youngsters

A powerful horse, behind which a light buggy bounced and swayed, came clattering down Munn Avenue, Newark, on the run yesterday. Two children, Catherine and Vincent Dyer, clung helplessly to the sidebars of the vehicle.

The street is frequented by motorists and several of them tried to head off the horse. The animal dodged them, however, and their efforts only made the plight of the children more desperate as the buggy careened at each sudden swerve of the horse.

Auto and Horse in Race
Patrolman Moore, of the 7th Precinct, on traffic duty at Munn and South Orange avenues, leaped for the horse's head, but missed it. Scrambling to his feet he climbed to the running board of an automobile and ordered the driver to "stop on it."

In spite of his efforts, the motorist found it difficult to overhaul the runaway board of an automobile and a considerable gap between the vehicles, where the horse swung into the Cemetery of the Holy Sepulchre at Devine Avenue, ignoring the roadway, started across the lawn toward the graves.

Over the lawn behind it came the motor car, which was making better speed now and closing up the gap. The two vehicles came abreast just before they reached the thicket of graves and Moore gathered himself for a second attempt to seize the bridle.

As he was about to jump from the running board the horse reared. Before another such favorable opportunity could arise the runaway would be among the graves and the buggy upset. Moore drew his revolver and fired.

Bullet Stops Animal
His bullet penetrated to the horse's brain and it dropped in its tracks. The stop was so sudden that the shafts were snapped, but the buggy was not upset nor the children thrown out. They were unharmed and were taken to their home, 30 Whitney Street, where their mother, Mrs. Frank Dyer, was beside herself with anxiety.

Sill suffering from a shock she received two weeks ago, when her five-year-old daughter Grace was killed by an automobile, Mrs. Dyer had seen her other two children climb into her husband's buggy and the next instant saw the horse bolt and round the corner with the buggy tilting perilously. Her husband, ignorant of the children's intention, had gone to the rear of the buggy to get a matter when they climbed to the seat.

Is it Hot Enough for You?
This bromide has worked overtime during every torrid spell since the glacial period. Again it bobs up serenely. It's been hot enough for you and everybody else during New York's most prolonged hot wave. Ice has saved life and reason—made thousands of the sick more comfortable—kept thousands of the well, going—and has made delightful moments when icy drinks, icy salads and glowing icy hearts of watermelon have been served.

Pure Knickerbocker Ice is made from 4 times filtered water. The drivers, ever faithful, have served customers promptly.

\$3,000,000 Valuation Admitted in Gas Hearing

A. S. Miller, Expert Witness for Company, Bases Cost on Present Prices

At the resumption of the hearings before the Public Service Commission yesterday on the company's application to increase rates from \$1.25 to \$1.50 counsel for the New York and Queens Gas Company contended that they had secured a strong point when Chairman William A. Prendergast accepted as evidence the statement made by Alton S. Miller that the gas plant was valued at \$3,000,000. Mr. Miller, who is vice-president of Bartlett, Hayward & Co. of Baltimore, and who was introduced as an expert witness by William L. Ransom, counsel for the gas company, based his valuation of the plant on the cost to reproduce it as of July 1, 1921.

Counsel contended this testimony was of vital importance in a rate case, as, under the law, in deciding rates the basis on which a reasonable return is fixed is the amount or value of property devoted to public service. The \$3,000,000 valuation is far in excess of that estimated by the city authorities and representatives of Queens taxpayers served by the company. The testimony was accepted by Chairman Prendergast over the objections of M. M. Fertig, Assistant Corporation Counsel, and of John J. A. Rogers, counsel for the College Point Taxpayers' Association, who insisted that on the witness's own admission his general appraisal was based on "hearsay prices."

Mr. Miller said his figures were gathered from a staff of six engineers who assisted him in the appraisal. Assistant Corporation Counsel Fertig insisted that although the Supreme Court has held that cost of reproduction of property is permissible as evidence, it also has been held that the original value should be made known.

None Barred So Far by
Limit on Immigration

Ellis Island Officials Say All Newcomers Have Been Landed

The restrictive immigration law, which went into effect June 3, thus far has barred no newcomers who have been able to reach these shores. Officials at the Ellis Island immigration station said yesterday that while

European embarkation had been somewhat curtailed and there had been some delay in the admission of immigrants, none had been turned back here because his country's quota had been filled. The only persons excluded have been those unable to meet the usual physical, mental and moral tests.

At present there is a surplus of only two nationalities. The July quota for Greece, of 557, already has been filled with an excess of forty-nine, while Palestine has sent two more than its quota of eleven.

These extra immigrants have applied for a hearing before they are deported. As there are no ships sailing for Greece from New York this month, the forty-nine will be here in August, and it will be up to Washington to decide whether they are to be admitted in the quota for that month.

Engineers Meet September 12
Wilkes-Barre, Pa., has been selected as the meeting place this year of the American Institute of Mining and Metallurgical Engineers. The date chosen for the meeting is September 12-17.

It's toasted
LUCKY STRIKE CIGARETTE

Saks & Company
BROADWAY at 34th STREET

Announce for Today A Special Sale of
MEN'S OXFORDS

—of black and tan imported Scotch grain leather, black and tan calfskin

at 6.95

Each and every shoe is very carefully made over well-proportioned lasts in brogue effect with full wing tip—others have straight tip. Unusual values!

Fifth Floor

Men's Camel's Hair Golf Hose at 2.95

A limited quantity of this splendid golf hose, fashioned in England, of real camel's hair. Knitted in the popular broad rib effect and neatly finished with patterned cuffs. Simply wonderful value! Sizes 10 to 12.

Street Floor

Imported from England!
MEN'S Wool Gabardine Raincoats at 19.50

Only 85 of them, so prompt action is necessary if you wish to take advantage of this splendid offering.

Also—a Limited Quantity of
Men's Imported Jap. Silk Raincoats at 19.50

Extra light in weight—very comfortable for Summer wear. Each coat neatly packed in bag.

Sixth Floor

Coastwise Trips?

84 passenger vessels scheduled for all ports in the world are listed a nong the 355 passenger and freight vessels in to-day's New York Tribune

Shipping and Travel Guide

Saks & Company
BROADWAY at 34th STREET

We Shall Place On Sale This Morning
1000 Pairs White and Striped Flannel Trousers

at 6.75

It is very seldom that an opportunity of this kind presents itself—especially at the height of the vacation season when white flannel trousers are so much in demand. Every pair is very carefully made—and at 6.75 should move in record time.

FIFTH FLOOR
Saks & Company
BROADWAY at 34th STREET